

**RESOLUTION**

**September 6, 2018**  
**Resolution No. 540 -18**

**RE: PETITION OF FOR ANNEXATION OF A TOTAL OF 36.689ACRES OF LAND  
IN MARION TOWNSHIP TO THE CITY OF FINDLAY, HANCOCK COUNTY,  
OHIO (HENGSTELER - TYPE 1 EXPEDITED ANNEXATION)**

The Board of County Commissioners of Hancock County, Ohio, met in regular session on the 6<sup>th</sup> day of September, 2018, with the following commissioners present:

Brian Robertson, Timothy Bechtol, and \_\_\_\_\_.

The Clerk advised that the Board was in compliance with the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto for the meeting.

Bechtol, moved for the adoption of the following resolution:

**WHEREAS**, the Commissioners of Hancock County, State of Ohio, proceeded on the 6<sup>th</sup> day of September, 2018, to act upon the petition submitted by Matthew L. Klein, 220 West Sandusky St., Findlay, Ohio, agent for the owners of the property described in the petition for annexation of 36.689 acres of land in Marion Township to the City of Findlay, Hancock County, Ohio, filed, September 4, 2018, and having considered all the facts with reference thereto, being fully advised; and

**WHEREAS**, the 6<sup>th</sup> day of September, 2018 is the first regular meeting of the Board, after the petition referenced herein was received by the Board of Hancock County Commissioners, as required by Ohio Revised Code §709.022; and

**WHEREAS**, the Commissioners make the following findings, based upon the record of this matter on file in the office of the Board:

1. The Petition requests the Board follow Ohio Revised Code §709.022 in considering the present petition.
2. The Petition includes dated signatures of all property owners or those authorized to sign on behalf of the owners in the area to be annexed.
3. No signature upon said Petition was obtained more than 180 days before the petition was filed.

4. The legal description and map of the area proposed to be annexed is attached to the petition.
5. The Petition includes the name and address of the agent for the petitioners, specifically, Matthew L. Klein, 220 West Sandusky St., Findlay, Ohio 45840.
6. Agent for the Petitioners provided a list of parcels in the area to be annexed and adjacent territory that includes the names and mailing addresses.
7. The territory sought to be annexed is adjacent and contiguous to the City of Findlay, Ohio.
8. The Petition does in fact contain the necessary statutory disclosure statement in boldface, capital letters regarding waiver of appeal rights.
9. The Petition has attached a certified copy of the annexation agreement as provided for in Ohio Revised Code §709.192 entitled "Master agreement for Revenue Sharing" and "Amendment to Master Agreement" between the City of Findlay, Ohio and Marion Township, Hancock County, Ohio

**NOW THEREFORE BE IT RESOLVED**, by the Board of Commissioners of Hancock County, Ohio, that the prayer of the Petition for the annexation of 36.689 acres of property in Marion Township be annexed to the City of Findlay be allowed.

Robertson, seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

**Board of Hancock County Commissioners**

Brian J. Robertson yes  
Brian J. Robertson, President

Timothy K. Bechtol yes  
Timothy K. Bechtol, Vice-President

Mark D. Gazarek  
Mark D. Gazarek, Commissioner

ATTEST:

Sarah Mutchler  
Sarah Mutchler, Clerk

Board of Hancock County Commissioners

DATE: 9/6, 2018

Auditor, City of Findlay, Marion Township, Engineer, Matthew Klein

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Received

SEP 04 2018

Commissioner's Office  
Hancock Co., Ohio

**PETITION FOR ANNEXATION**

**Expedited Type 1**

**Pursuant to O.R.C. §709.022**

To the Commissioners of Hancock County, State of Ohio:

The undersigned, being all of the owners of real estate described in Exhibit "A" attached hereto and incorporated herein by reference, within the Township of Marion, County of Hancock and contiguous to the City of Findlay, said real estate further described by the plat attached hereto as Exhibit "B" respectfully petition that the above described real estate be annexed to the City of Findlay.

Attached hereto is the following additional information, which is included with this petition, but not made a part hereof:

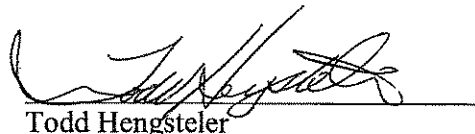
Attachment 1:	List of adjoining property owners to the subject real property.
Attachment 2:	List of property owners of the subject real property.
Attachment 3:	Certified Copy of an Annexation Agreement as provided by Ohio Revised Code §709.192 between the City of Findlay and Marion Township, Hancock County, Ohio.

Matthew L. Klein, 220 West Sandusky Street, Findlay, Ohio, is hereby authorized to act as agent for the Petitioners in securing such annexation.

The undersigned are all of the owners of real property within the parcel of property to be annexed.

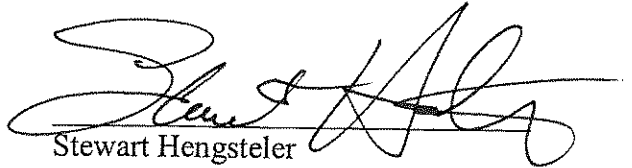
**WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIOENRS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.**

Dated: 8/18, 2018

  
Todd Hengsteler

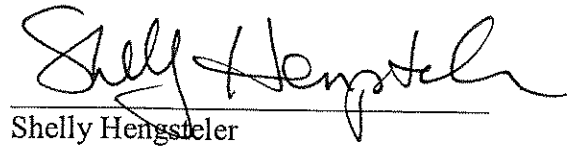
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

Dated: 8/21/18, 2018

  
Stewart Hengsteler

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIOENRS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

Dated: 8/21/18, 2018

  
Shelly Hengsteler

ENGINEERING • SURVEYING • GPS/GIS CONSULTING  
Findlay, OH • 3200 N. Main Street • 419.423.5630  
Charlotte, NC • P.O. Box 621524 • 704.604.4124



**LEGAL DESCRIPTION**  
for Hengsteler

Pl. of the SW 1/4 of Section 5, T1N, R11E,  
Marion Township, Hancock County  
State of Ohio  
36.689 Acres

**ANNEXATION**

Situated in the Township of Marion, County of Hancock, State of Ohio, described as follows:  
Being part of the Southwest Quarter (1/4), of Section Five (5), Township One (1) North, Range Eleven  
(11) East, a tract of land bounded and described as follows:

Commencing at 1/2" Rebar found marking the Northeast corner of said Southwest 1/4;

Thence on the North line of said Southwest 1/4, also being the centerline of East Bigelow Avenue, N 89°  
11'48" W, a distance of 80.98 feet to a point and being the Principal Point of Beginning of the Tract of land  
herein described;

Thence, S 01° 25'05" W, a distance of 1188.40 feet to a 1/2" Capped Iron Pin found;

Thence N 89° 15'27" W, a distance of 1410.99 feet to a 1/2" Capped Iron Pin found;

Thence N 00° 44'33" E, a distance of 180.00 feet to a point;

Thence N 89° 15'27" W, a distance of 214.95 feet to a point on the centerline of Crystal Avenue;

Thence along the centerline of Crystal Avenue, N 31° 38'10" E, a distance of 1176.31 feet to a 1"  
Iron Pin found at the intersection of Crystal Avenue and East Bigelow Avenue;

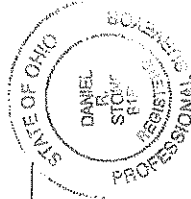
Thence on the centerline of East Bigelow Avenue, S 89° 11' 48" E a distance of 1035.98 feet to the  
Principal Point of Beginning;

And containing 36.689 acres of land, more or less, all being subject to any prior easements of  
record, or otherwise.

**Note:** Bearings are based on the Ohio North 3401 State Plane Coordinate System, NAD 83 (2011).  
Distances referenced above are ground distances.  
Where described above, all 'Capped 5/8" Rebar Set' are 30 inches in length,  
with an orange plastic cap stamped 'VHFA #8159' marked on top.

This description was prepared in accordance with a recent Field Survey prepared by  
Daniel R. Stone, Registered Surveyor #8159, 3200 N. Main Street, Findlay, Ohio, 45840.

Date: 5 July 2018

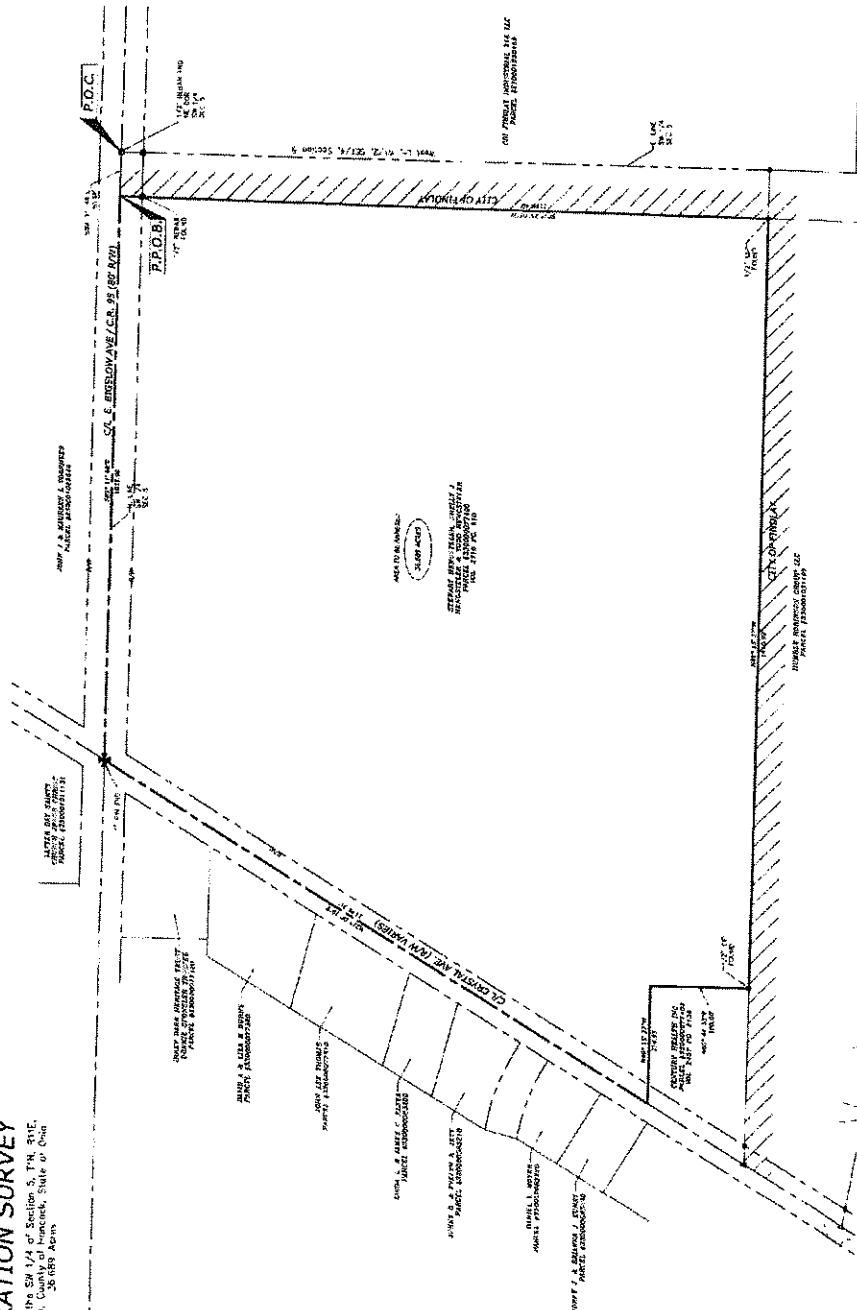


Survey and Legal Description by:

Daniel R. Stone  
Daniel R. Stone, P.E., P.S.  
Ohio Registered Surveyor #8159

Being a part of the SW 1/4 of Section 5, T.1N. 21E.  
Marion Township, County of Hancock, State of Ohio  
36.689 Acres

Being a part of the SW 1/4 of Section 5, T.1N. 21E.  
Marion Township, County of Hancock, State of Ohio  
36.689 Acres



1) This survey performed using a Trimble 5800 GPS unit, connected to the QZS/QZSS GPS Network, collecting data in NAD 83 or North ~~NA~~ State Plane Coordinate System, NAD 83 (NAD 83) and converted to Ground Coordinates. Distances shown are GROUND DISTANCES, unless shown otherwise (S, DI, etc.).

<sup>a</sup> Latitudes are based on the 3h = North, 340° State Plane Coordinate System, NAD 83 (2011)

3) This survey performed without the benefit of a Title Report, should not show all encumbrances, covenants, restrictions or otherwise if a record, if any.

d) Please, do see the Henneback County Auditors website, at the time of this survey

this survey was performed and completed by myself or  
under my direct supervision.

1

1. Description of the Survey  
Daniel R. Stone, P.E., Registered Surveyor #8159  
A Legal Description has been prepared in accordance  
with this survey.

[illegible]

Society for the Study of Social Problems

STY 5  
CROSS  
STY 4

Found Found Found

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## ANNEXATION SURVEY

DATE OF DEPOSITION

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JTR	GRAND DRS
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07/05/18

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**ATTACHMENT 1**  
**LIST OF ADJOINING PROPERTY OWNERS**

Property Owners	Mailing Address	Parcel Numbers
1. COI Findlay Industrial 2016, LLC	4900 Main Street Kansas City, MO 64112	210001030169
2. John J Voorhees Irrev Trust, Maureen L. Voorhees, Trustee	3965 Waldenwood Dr. Ann Arbor, Michigan 48105	230001029549
3. Humble Robinson Group, LLC	811 N Main Street Bellefontaine, Ohio 43311	330001031107
4. Century Health Inc.	1918 N Main Street Findlay, Ohio 45840	330000077402
5. Andrew J. and Brianna J. Kunst	2640 Crystal Avenue Findlay, Ohio 45840	330000083230
6. Daniel L. Moyer	2650 Crystal Avenue Findlay, Ohio 45840	330000083220
7. Johnny O. and Evelyn R. Jett	2700 Crystal Avenue Findlay, Ohio 45840	330000083210
8. James C. and Linda L. Elsea	2710 Crystal Avenue Findlay, Ohio 45840	330000083200
9. John Lee Thomas	2730 Crystal Avenue Findlay, Ohio 45840	330000077310
10. Lisa M. and David A. Burns	2740 Crystal Avenue Findlay, Ohio 45840	330000077380
11. Barr Irrev Heritage Trust, Bonnie Sponsler Trustee	2750 Crystal Avenue Findlay, Ohio 45840	330000077320

**ATTACHMENT 2**  
**LIST OF ANNEXATION PROPERTY OWNERS**

1. Stewart Hengsteler	6981 Hampton Castle Rock, CO 80108
2. Shelly Hengsteler	6981 Hampton Castle Rock, CO 80108
3. Todd Hengsteler	5006 S. Blackstone Ave. Apt. 202 Chicago, Illinois 60615



# Revenue Sharing Agreements

## Marion Township

Last Updated July 19<sup>th</sup> 2016 – **Ordinance No. 2016-070.**

1. Large tracts of undeveloped land annexed the purpose of which is for securing undeveloped land for future economic development.
  - a. 1.6 mills of assessed valuation for a period of 15 years
    1. The fifteen year period deferred during any period of tax increment financing, CRA or other real estate tax deferral.
    2. The fifteen (15) year period stayed until the tax year said property shows an increase in valuation due to the property being initially improved and/or developed beyond the development of infrastructure improvements.
2. Non-Residential Parcels
  - a. All "expedited Annexations" shall be excluded from the township and no longer subject to the township's real property taxes. **Resolution No. 24-2001.**
  - b. 1.6 mills of tax revenue derived from the assessed valuation of all property annexed by the City (excluding residential property), from the effective date of Resolution 17-1997 to be paid for a period of twelve (12) years to be effective the tax year following the year said property was annexed to the City unless said territory is entitled tax increment financing or some other type of tax deferral, in which the event the twelve (12) year period shall not commence until said tax deferral has been completed, and the annexed territory is being fully taxed at its assessed value. **Revenue Agreement dated August 10, 2001. Resolution No. 24-2001.**
3. Residential Parcels
  - a. That with the effective date of Resolution 24-2001, all residential annexations of property shall be entitled to a payment of 1.5 mills of tax revenue derived from the assessed valuation of the territory being annexed to the City for a period of ten (10) years and shall be effective the tax year following the year in which the territory is annexed. **Revenue Agreement dated August 10, 2001. Resolution No. 24-2001.**

**AMENDMENT TO THE MASTER AGREEMENT FOR REVENUE  
SHARING DATED AUGUST 10, 2001**

This agreement is entered into this 19<sup>th</sup> day of July, 2016, by and between the City of Findlay, Ohio and Marion Township, Hancock County, Ohio who voluntarily enter into this agreement to amend the Master Agreement for Revenue Sharing, dated August 10, 2001, which was previously authorized by Resolution No. 24-2001 and entered into pursuant to Ohio Revised Code §708.191. Said Master Agreement for Revenue Sharing shall hereby be amended as follows:

That effective October 1, 2014, whenever the City of Findlay requests that large tracts of undeveloped land in Marion Township be annexed into the City of Findlay for the purpose of securing land for future economic development within the City of Findlay, i.e. for future industrial parks, and such annexation is authorized by the board of county commissioners, the City of Findlay agrees to pay Marion Township 1.6 mills of tax from the assessed valuation of any parcel(s) annexed into the City of Findlay from Marion Township (excluding residential property which will continue to be paid as set forth in Section 4 of the Master Agreement dated the 10th day of August, 2001) for a period of fifteen (15) years. Said payments shall commence in the tax year following the year said parcel(s) was annexed to the City of Findlay.

However, if said parcel(s) are entitled to tax increment financing or some other type of tax deferral, including but not limited to benefits under a community reinvestment area (CRA) agreement, then in such event the fifteen (15) year period shall not commence until said tax deferral has been completed and the annexed parcel(s) is being fully taxed at its assessed value as initially improved and/or developed beyond the development of infrastructure improvements. Subsequent improvement and/or development to the same real estate parcel, as identified by the Hancock County Auditor, even if it occurs prior to the end of said fifteen (15) year period of deferral, shall not be subject to this agreement. Subsequent improvement and/or development beyond the initial development of infrastructure improvements to a different real estate parcel, as identified by the Hancock County Auditor, shall be subject to this agreement.

Further, the fifteen (15) year period shall be stayed and shall not apply to any parcel annexed until the tax year following the year said property shows an increase in valuation due to the property being initially improved and/or developed beyond the development of infrastructure improvements.

All other provisions set forth in the Revenue Sharing agreement between the City of Findlay, Ohio and the Board of Trustees of Marion Township authorized by Resolution No. 24-2001, not otherwise in conflict herewith, shall remain in full force and effect and the revenue

sharing provisions set forth in said agreement shall remain in full force and effect as it relates to property annexed to the City of Findlay from Marion Township, Hancock County, Ohio.

IN WITNESS WHEREOF, the City of Findlay, Ohio has hereunto set its hand and seal the 20<sup>th</sup> day of July, 2018.

Signed in the presence of:

THE CITY OF FINDLAY, OHIO

Kathy Kounen

Dan DeLore

[Signature]

**ACCEPTANCE**

IN WITNESS WHEREOF, the Board of Township Trustees of Marion Township, Hancock County, Ohio hereby approve and accept the terms and conditions of the within agreement this 19<sup>th</sup> day of July, 2016.

Signed in the presence of:

BOARD OF TOWNSHIP TRUSTEES  
MARION TOWNSHIP, HANCOCK COUNTY, OHIO

Douglas D. Elliott

Erin H. Nye

John E. Wolf  
John Wolf, Chairman

Robert Johnson  
Robert Johnson, Vice-Chair

John Goshe  
John Goshe, Trustee

## EXHIBIT A

In accordance with the Revenue Sharing Agreement authorized by Resolution No. 024-2001, the City had agreed to pay to Marion Township 1.6 mills from the assessed valuation of any parcel(s) agreed to pay. The City of Findlay has agreed to pay Marion Township 1.6 mills of tax from the assessed valuation of any such parcel(s) annexed into the City of Findlay from Marion Township (excluding residential property which will continue to be paid as set forth in Section 4 of the Master Agreement dated the 10th day of August, 2001) for a period of twelve (12) years.

The City of Findlay has agreed that effective October 1, 2014, whenever the City of Findlay requests that large tracts of undeveloped land in Marion Township be annexed into the City of Findlay for the purpose of securing land for future economic development within the City of Findlay, i.e. for future industrial parks, and such annexation is authorized by the board of county commissioners, the City of Findlay agrees to pay Marion Township 1.6 mills of tax from the assessed valuation of any parcel(s) annexed into the City of Findlay from Marion Township (excluding residential property which will continue to be paid as set forth in Section 4 of the Master Agreement dated the 10th day of August, 2001) for a period of fifteen (15) years.

Said payments shall commence in the tax year following the year said parcel(s) was annexed to the City of Findlay. However, if said parcel(s) are entitled to tax increment financing or some other type of tax deferral, including but not limited to benefits under a community reinvestment area (CRA) agreement, then in such event the fifteen (15) year period shall not commence until said tax deferral has been completed and the annexed parcel(s) is being fully taxed at its assessed value as initially improved and/or developed beyond the development of infrastructure improvements. Subsequent improvement and/or development beyond the same real estate parcel, as identified by the Hancock County Auditor, even if it occurs prior to the end of said fifteen (15) year period of deferral, shall not be subject to this agreement. Subsequent improvement and/or development beyond the initial development of infrastructure improvements to a different real estate parcel, as identified by the Hancock County Auditor, shall be subject to this agreement.

For purposes of these examples, the fifteen (15) year period of payment shall be referred to as the "Payment Period."

### Example #1

ABC Company acquires vacant parcel and builds its manufacturing plant. The Payment Period shall commence in accordance with the agreement as set forth above. Explanation: Said payments shall commence in the tax year following the year said parcel(s) was annexed to the City of Findlay. However, if said parcel(s) is entitled to tax increment financing or some other type of tax deferral, including but not limited to benefits under a community reinvestment area (CRA) agreement, then in such event, the fifteen (15) year period shall not commence until said tax deferral has been completed and the annexed parcel(s) is being fully taxed at its assessed value as *initially improved and/or developed beyond the development of infrastructure improvements*.

Example #2

If ABC Company expands its physical presence on said previously owned parcel, even if said expansion occurs prior to commencement of the Initial Payment Period, no payments shall be due to Marion Township based upon or as a result of said expansion. *Explanation: Subsequent improvement and/or development to the same real estate parcel, as identified by the Hancock County Auditor, even if it occurs prior to the end of said fifteen (15) year period of deferral, shall not be subject to this agreement.*

Example #3

ABC Company decides to expand its physical presence. ABC Company acquires an additional parcel to build upon. Whether or not it is adjacent to or abutting said original parcel, the Payment Period for the additional parcel shall commence as set forth above. *Explanation: Subsequent improvement and/or development beyond the Initial development of infrastructure improvements to a different real estate parcel, as identified by the Hancock County Auditor, shall be subject to this agreement.*

Example #4

ABC Company decides to expand its physical presence. ABC Company decides to split its original parcel into two (2) parcels and build on the newly created parcel. The Payment Period for the newly created parcel shall commence as set forth above. *Explanation: Subsequent improvement and/or development beyond the Initial development of infrastructure improvements to a different real estate parcel, as identified by the Hancock County Auditor, shall be subject to this agreement.*

ORDINANCE NO. 2016-070

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF FINDLAY, OHIO, TO ENTER INTO AN AGREEMENT WITH THE BOARD OF TOWNSHIP TRUSTEES FOR MARION TOWNSHIP, HANCOCK COUNTY, OHIO, FOR REVENUE SHARING PURSUANT TO RESOLUTION NO. 19-1995.

WHEREAS, the Ranzau/McLane annexation has previously been annexed to the City of Findlay, Ohio, and;

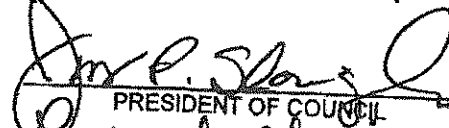

WHEREAS, Council previously has agreed to share a certain amount of tax revenue with the Board of Township Trustees for Marion Township pursuant to Resolution No. 24-2001 and entered into pursuant to Ohio Revised Code §709.191, and;

WHEREAS, it is now the desire of this Council to amend the Master Agreement For Revenue Sharing, dated August 10, 2001, to provide that whenever the City of Findlay requests that large tracts of undeveloped land in Marion Township be annexed into the City of Findlay for the purpose of securing land for future economic development within the City of Findlay, i.e. for future industrial parks, and such annexation is authorized by the board of county commissioners, the City of Findlay agrees to pay Marion Township 1.6 mills of tax from the assessed valuation of any parcel(s) annexed into the City of Findlay from Marion Township (excluding residential property which will continue to be paid as set forth in Section 4 of the Master Agreement dated the 10th day of August, 2001) for a period of fifteen (15) years.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That the Service-Safety Director of the City of Findlay, Ohio, be and he hereby is authorized to enter into an amendment of the Master Agreement for Revenue Sharing, dated August 10, 2001, with the Board of Township Trustees for Marion Township, Hancock County, Ohio. A complete and accurate copy of said Amendment is attached hereto and incorporated herein as if same were fully rewritten herein as "Exhibit A."

SECTION 2: This Ordinance shall be in full force and effect after the earliest period provided by law.

  
PRESIDENT OF COUNCIL  
  
MAYOR

PASSED: July 19, 2016

ATTEST: Devin DeBore  
CLERK OF COUNCIL

APPROVED: July 19, 2016

### AMENDMENT TO MASTER AGREEMENT

This amendment to the Master Agreement previously entered into by and between the City of Findlay, Ohio, and the Marion Township Trustees on the 10 day of August, 2001, hereby amends said Master Agreement as follows:

WHEREAS, Ohio Revised Code §709.023 establishes a special annexation procedure where land is not excluded from the township otherwise known as an "Expedited Annexation" established under the amended annexation laws of Ohio on October 26, 2001, and;

WHEREAS, said revised code section aforementioned provides in §709.023(H) that said property annexed under the expedited procedure provided herein can be excluded from the township provided it is covered in an annexation agreement entered into pursuant to §709.192 of the Ohio Revised Code, and;

WHEREAS, the City of Findlay and Marion Township have previously entered into a Master Agreement for Revenue Sharing aforementioned which provides for revenue sharing on all property annexed from Marion Township into the City of Findlay, but said agreement was entered into prior to the enactment of the new annexation law, and consequently, expedited annexed property from said Marion Township currently is not excluded from said township, and;

WHEREAS, it is the desire of the City of Findlay and the Marion Township Trustees to amend the said agreement pursuant to the provisions of §709.192 of Ohio Revised Code to exclude all property annexed from Marion Township under the provisions of Ohio Revised Code §709.023 so that said property is excluded from the township and becomes

part of the City of Findlay, and that said boundaries of the City are conformed pursuant to Ohio Revised Code §503.07.

IN WITNESS WHEREOF, the City of Findlay and the Board of Trustees of Marion Township, Hancock County, Ohio do hereby resolve that it is their intent and desire to exclude all property annexed to the City of Findlay from Marion Township under the provisions of Ohio Revised Code §709.023 from and after the execution of this agreement, so that said property is excluded from the township and shall no longer be subject to township real property taxes as set forth in Ohio Revised Code §709.023(H).

Section 1: The Master Agreement entered into by and between the City of Findlay and the Board of Trustees of Marion Township on the 10 day of August, 2001, be and the same is hereby amended so that all property from and after the date of execution of this amendment annexed from Marion Township into the City of Findlay under the provisions outlined in Ohio Revised Code §709.023 and known as "Expedited Annexations" shall be excluded from the township and no longer subject to the township's real property taxes, and the boundaries shall be conformed to match the municipal corporation's boundaries as set forth in Ohio Revised Code §503.07.

Section 2: That all other provisions set forth in the Revenue Sharing Agreement between the City of Findlay, Ohio and the Board of Trustees of Marion Township executed on the 10 day of August, 2001, shall remain in full force and effect and the revenue sharing provisions set forth in said agreement shall remain in full force and effect and shall also be effective as to any and all property annexed under said Ohio Revised Code §709.023.



IN WITNESS WHEREOF, the City of Findlay, Ohio has hereunto set its hand  
and seal this 23<sup>rd</sup> day of June, 2004.

Signed in the presence of:

THE CITY OF FINDLAY, OHIO

[Signature]

Kathy K. Kammeler

By:

[Signature]

Director of Public Service

ACCEPTANCE

IN WITNESS WHEREOF, the Board of Township Trustees of Marion Township,  
Hancock County, Ohio hereby approve and accept the terms and conditions of the within  
agreement this 23<sup>rd</sup> day of June, 2004.

Signed in the presence of:

W. J. Stang

Jeannie Plesger  
TOWNSHIP CLERK

Bo E. [Signature]

Kenneth [Signature]

## MASTER AGREEMENT FOR REVENUE SHARING

This agreement is entered into between the City of Findlay, an Ohio Municipal Corporation, and Marion Township, Hancock County, Ohio, for a Master Revenue Sharing Agreement on annexed property from said Township.

WHEREAS, Ohio Revised Code § 709.191 permits a City to enter into an agreement with a Board of Township Trustees for revenue sharing on annexed property, and;

WHEREAS, pursuant to Resolution No. 19-1995, as amended by resolution, No. 44-1996, the City of Findlay through its Director of Public Service-Safety is authorized to enter into an agreement with the Marion Township Board of Township's Trustees for revenue sharing for property annexed from said township, and;

WHEREAS, Resolution No. 17-1997 enacted May 6, 1997 increased the millage to 1.6 mills and the years to 12 and amends and/or replaces the prior Resolutions covering all annexations other than residential after January 1, 1997 from Marion Township, and;

WHEREAS, Resolution No. 24-2001 enacted July 3, 2001 amends Resolution 17-1997 by including residential property, and;

WHEREAS, this Agreement is entered into pursuant to said authorization contained in said Resolutions.

IN WITNESS WHEREOF, the City of Findlay does hereby agree with the Board of Township Trustees for Marion Township, Hancock County, Ohio, for revenue sharing on all annexed property from said Township from the effective date of Resolution No. 19-1995, as amended by Resolution No. 44-1996, excluding, however, all previously annexed property which is subject to, and has been included in a separate Revenue Sharing

DAVID A. HACKENBERG  
DIRECTOR OF LAW  
CITY OF FINDLAY

ROBERT A. BEUTLER, JR.

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CITY OF LAW

510 W. CRAWFORD ST.

P.O. BOX 1544

FINDLAY, OHIO 45839

Agreement between the City and said Township and also excluding residential property annexed after October 1, 1996 up to July 3, 2001.

Section 1. The purpose of this Master Agreement is to provide for a Master Agreement which will automatically cover all property annexed to the City of Findlay, Ohio upon annexation from Marion Township subject to revenue sharing together with previously annexed property from said township not presently covered by a separate Revenue Sharing Agreement which then will preclude the necessity of executing a separate Revenue Sharing Agreement for each property annexed to said City from said Township.

Section 2. The City of Findlay agrees to pay Marion Township 1.5 mills of tax from the assessed valuation of all property annexed to said City (excluding residential) since the passage of Resolution 19-1995, with said payments to be made for a period for ten (10) years, to be effective the tax year following the year said property was annexed to the City of Findlay. If said territories are entitled to tax increment financing or some other type of tax deferral, then in such event the ten (10) year period shall not commence until said tax deferral has been completed and the annexed territory is being fully taxed at its assessed value. Pursuant to Resolution 44-1996 all residential annexations occurring after October 1, 1996 up to the effective date of Resolution 2001- 24 except that property annexed by Ordinance 2001-49 are hereby excluded from Revenue Sharing.

Section 3. The City of Findlay agrees to pay Marion Township 1.6 mills of tax revenue derived from the assessed valuation of all property annexed by the City (excluding residential), from the effective date of Resolution 17-1997, with said payments to be made for a period of twelve (12) years to be effective the tax year following the year said property

was annexed to the City of Findlay unless said territory is entitled to tax increment financing or some other type of tax deferral, in which event the twelve (12) year period shall not commence until said tax deferral has been completed, and the annexed territory is being fully taxed at its assessed value.

Section 4. That with the effective date of Resolution 24-2001, all residential annexations of property from Marion Township, Ohio, after said date together with that property annexed by Ordinance No. 2001-49 will be entitled to a payment of 1.5 mills of tax revenue derived from the assessed valuation of the territory being annexed to the city and said payment shall be for a period of ten (10) years and shall go into effect the tax year following the year in which the territory is annexed.

Section 5. That a fully executed copy of this agreement shall be filed with the County Auditor so that the Auditor is on notice regarding the revenue sharing agreement between the City and said Township, and a certified copy of each Ordinance annexing property from said Township shall be filed by the Clerk of Council with the City Auditors Office when said Ordinance becomes effective so that the Township will receive proper credit, should the City fail to make said payments pursuant to Ohio Revised Code §709.91.

IN WITNESS WHEREOF, the City of Findlay, Ohio has hereunto set its hand and seal this 10 day of August, 2001.

Signed in the presence of:

Sally A. Cassidy

THE CITY OF FINDLAY, OHIO

By: [Signature]  
Director of Public Service-Safety

ACCEPTANCE

IN WITNESS WHEREOF, the Board of Township Trustees of Marion Township,  
Hancock County, Ohio, hereby approve and accept the terms and conditions of the within  
agreement this 8<sup>th</sup> day of August, 2001.

Signed in the presence of:

Jessie Ploger, Clerk  
Robert R. Crandall

Bob Johnston  
Max Stacy  
James E. Conner

NOTE: Copies of Resolutions attached for reference.

## RESOLUTION NO. 24-2001

A RESOLUTION AMENDING RESOLUTION 17-1997 AS WELL AS AUTHORIZING A MASTER AGREEMENT WITH THE MARION TOWNSHIP TRUSTEES CONCERNING ALL PROPERTY ANNEXED FROM MARION TOWNSHIP INTO THE CITY OF FINDLAY, OHIO, IN LIEU OF AND IN PLACE OF WHAT IS PROVIDED FOR BY NEWLY ENACTED LEGISLATION BY THE OHIO LEGISLATURE, ALSO INCLUDING ONE (1) PARCEL OF LAND IN THE PROCESS OF BEING ANNEXED INTO THE CITY BY ORDINANCE NO. 2001-49.

WHEREAS, Ohio Revised Code 709.191 provides a method wherein the City can make an agreement with Township Trustees for payment to said township for annexed property from said township for a specified period, irrespective of any other provisions in the Ohio Revised Code, and;

WHEREAS, Council desires to amend the prior resolution already in effect with Marion Township and also to authorize and implement a Master Agreement between Marion Township and the City of Findlay, Ohio in lieu of and in place of the legislation passed by the Ohio Legislature and awaiting signature by the governor and to be effective sometime later this summer or early fall, 2001.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That Section 1 of Resolution 17-1997 be and the same is hereby amended to include the following additional paragraph that shall pertain to residential property being annexed to the City of Findlay, Ohio:

That with the effective date of the passage of this Resolution, all residential annexations of property from Marion Township, Ohio, will be entitled to a payment of 1.5 mills of tax revenue derived from the assessed valuation of the territory being annexed to the City and said payment shall be for a period of ten (10) years and shall go into effect the tax year following the year in which the territory is annexed.

SECTION 2: That the inclusion of all residential annexations of property from Marion Township, Ohio, with the passage of this Resolution also shall include that property annexed to the City by Ordinance No. 2001-49.

SECTION 3: That with this modification of the previous resolutions with Marion Township Trustees the Director of Public Service Safety is authorized to execute a Master Agreement for Revenue Sharing incorporating all these provisions with the Marion Township Board of Trustees which shall supersede any laws or provisions that are enacted by the Ohio Legislature providing for Revenue Sharing between municipalities and townships on annexed property, and this Master Agreement shall provide the sole mechanism for payment of Revenue Sharing to Marion Township on all annexed property from said

township on and after the execution of said Master Agreement, but also to include all previously annexed property which were subject to revenue sharing but upon which no formal agreement was ever executed. Further, this Resolution shall not go into effect should the Marion Township Board of Trustees fail to execute the Master Agreement.

SECTION 4: That all Resolutions and/or parts of Resolutions in conflict herewith be and the same are hereby repealed and no longer applicable to Revenue Sharing with Marion Township.

SECTION 5: This Resolution shall be in full force and effect from and after the earliest period provided by law.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
MAYOR

PASSED 7/3/01

ATTEST \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED \_\_\_\_\_

## **RESOLUTION NO. 17-1997**

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH MARION TOWNSHIP THROUGH ITS TOWNSHIP TRUSTEES PURSUANT TO OHIO REVISED CODE §709.191 WHEREIN THE CITY OF FINDLAY, OHIO, AGREES TO MAKE ANNUAL PAYMENTS TO THE MARION TOWNSHIP TRUSTEES FOR ALL PROPERTY ANNEXED FROM MARION TOWNSHIP TO THE CITY OF FINDLAY, OHIO, ON AND AFTER JANUARY 1, 1997, SAID AGREEMENT TO INCLUDE ONE PARCEL OF GROUND PREVIOUSLY ANNEXED TO THE CITY BY ORDINANCE NO. 1995-108.**

WHEREAS, the Ohio Revised Code §709.191 provides a method wherein a City can make an agreement with Township Trustees for payments to said Township for annexed property from said Township for a specified period, and;

WHEREAS, Council desires to enter into an agreement with the Marion Township Trustees so that all annexations from and after January 1, 1997, as well as one that has already been completed, from Marion Township are benefitted by such policy.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That effective January 1, 1997, all annexations of property from Marion Township, Ohio, will be entitled to a payment of 1.6 mills of tax revenue derived from the assessed valuation of the territory being annexed to the City and said payments shall be for a period of twelve (12) years and shall go into effect the tax year following the year in which the territory is annexed unless said territory is entitled to tax increment financing or some other type of tax deferral in which event the twelve (12) year period shall not go into effect until said tax deferral has been completed and the annexed territory is being fully taxed at its assessed value. Said policy shall be applicable to all forms of annexed territory with the exception of residential which shall be excluded from this agreement.

SECTION 2: That in addition to this policy being applicable to all annexations on and after January 1, 1997, from Marion Township, Hancock County, Ohio, Council desires to authorize this legislation and agreement to be applicable to property previously annexed for Marion Township, Ohio, by Ordinance No. 1995-108, commonly referred to as the Best Buy property.

SECTION 3: That all ordinances enacted on and after the effective date of this Resolution which annex property previously located in Marion Township with the exception of residential property, shall have included an additional clause in said ordinance which will authorize the following agreement to be entered into:

The City agrees to pay Marion Township Trustees for all property annexed from Marion Township, Ohio, 1.6 mills of tax revenue derived from the assessed valuation of the territory being annexed to the City for a period of twelve (12) years and said agreement shall go into effect the tax year following the year in which the territory is annexed unless said territory is entitled to tax increment financing or some other type of tax deferral in which event the twelve (12) year period shall not go into effect until said tax deferral has been completed and the annexed territory is being fully taxed at its assessed value. Said clause shall be included in all ordinances annexing property



from Marion Township, Hancock County, Ohio, with the exception of residential property which shall not be entitled to any revenue sharing.

SECTION 4: That Resolution No. 19-1995, as amended, shall no longer be applicable to annexations of property from Marion Township, Hancock County, Ohio, on and after January 1, 1997.

SECTION 5: This Resolution shall take effect and be in force from and after the earliest period provided by law.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
MAYOR

PASSED 5/6/97

ATTEST \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED \_\_\_\_\_

# CERTIFICATION

I, Denise DeVore, Clerk of Council of the City Council of the City of Findlay, Ohio, do hereby certify that the foregoing is a full, complete and correct copy of the current Annexation Agreement existing between the City of Findlay, Ohio and Marion Township, Hancock County, Ohio entered into pursuant to Ohio Revised Code §709.192.

WITNESS my signature at Findlay, Ohio this 23<sup>rd</sup> of July, 2018.

A handwritten signature in cursive script, reading "Denise DeVore", written over a horizontal line.

Denise Devore

Clerk of Council, City of Findlay, Ohio